



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities."

#### **Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

#### **County Manager**

David Smith

#### **Clerk of the Board**

Fran McCarroll

#### **Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

## **FORMAL MEETING MINUTES**

### **BOARD OF SUPERVISORS MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control District, Library District, Stadium District, Improvement Districts and/or Board of Deposit)

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**Wednesday, September 2, 2009  
9:00 AM**

**1. INVOCATION**

Salvadore Reza gave the invocation.

**2. PLEDGE OF ALLEGIANCE**

Supervisor Wilcox led the assemblage in the Pledge to the Flag.

**3. ROLL CALL**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 02, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Outside Counsel to the Board.

**4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

Aprille Hollis, Animal Care and Control, introduced Daisy, a two-year old Chihuahua mix that is relatively quiet and friendly with other animals. Daisy has been spayed, has her shots and is ready for adoption for \$50 today. Call 602-506-PETS for more information on adopting an animal friend.

**PRESENTATIONS**

**5. EMPLOYEE AWARDS FOR REWARDING IDEAS PROGRAMS**

Present the following employee awards from the Rewarding Ideas Program:

EMPLOYEE	DEPARTMENT	SUGGESTION	SAVINGS	AWARD
Gary Branum and David Norton	Flood Control District	Proposed clearing the emergency spillway at McMicken Dam by using an air curtain burner.	\$30,584 (tangible)	\$1,250/each
Charles P. Burns	Materials Management	Proposed shrinking maps used on the mailers	\$3,462 (tangible)	\$3,462
Matthew Bauer	Materials Management	Proposed using reverse auctions as a means to procure commodity items.	\$970,000 (tangible)	\$2,500
Donald Manies and Jeff Hanna	Facilities Management	Proposed a light fixture change out for their shop from older less efficient light fixtures to new energy efficient	\$822 (tangible)	\$58.50

		electronic fixtures which resulted in an energy savings on both the air conditioning and lighting costs.		
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Jesse Locksa, Sheriff's Office and a member of the selection committee to review employee suggestion awards entries, remarked that any organization's most valuable asset is their employees. Maricopa County regularly recognizes and rewards employees who come up with valuable ways to increase efficiency for less cost in the services provided by the County. He added that the many ideas submitted by County employees over the years will save taxpayers more than one million dollars.

Supervisor Brock complimented Chief Locksa and his team for doing the background work over the years to bring the many County employees forward to be recognized for their contributions that help to make the County great. (C-20-10-004-M-00)

**6. SEPTEMBER NATIONAL PREPAREDNESS MONTH**

Presentation regarding the National Preparedness Month. At the conclusion of the presentation, approve The National Preparedness Month Resolution.

Pete Weaver, Director

The Department of Emergency Management will begin with a general overview of the need for household preparedness in Maricopa County. Maricopa County will be joining local governments and state agencies around the country in recognizing September as Preparedness Month. A recent survey of county residents revealed that 40% have done nothing to prepare to shelter themselves in their homes for any length of time and 60% responded that they have done nothing to prepare for an evacuation. With the advent of the H1N1 flu, the concept of personal preparedness has taken on additional meaning and the importance of raising awareness within our community continues to grow. (C-15-10-002-P-00)

Pete Weaver, Emergency Management, spoke on behalf of National Preparedness Month urging residents to take the time to prepare for the personal safety of themselves and their families in case of emergency. He noted the wild fires in other parts of the country and said Emergency Management has been working to prepare for a variety of hazards or emergencies that could strike closer to home. He urged residents to prepare to be self sustaining for 72 hours; to have food, water, medical supplies and medications, bedding, clothing, flashlights, important records and other necessities to use or transport, as necessary. Part of this preparedness is to choose a communications plan and a place for family members to meet or contact each other in case of an emergency.

He indicated that the same preparedness message applies during flu season. Stay home if you are sick; use good hygiene and get the vaccination.

Supervisor Wilcox mentioned that Public Health had a kick-off ceremony for this national program a week ago. She appreciated the fact that a telephone bank to answer questions from Hispanics had been set-up at Phoenix College, believing it provided some much needed knowledge.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **7. LIQUOR LICENSE APPLICATIONS**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

##### **a. NEW LICENSE FOR HOLE'N ONE**

Pursuant to A.R.S. § 4-201, approve an application filed by Marty Eugene Troub for a New Series 12 Liquor License for Hole'n One Restaurant at 13573 W. Camino del Sol, Sun City West, AZ 85375. (AZ12078093) (Supervisory District 4) (C-06-10-056-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Wilcox, Wilson  
Nays: Brock  
Absent: Kunasek

##### **b. NEW LICENSE FOR WOW CAFE**

Pursuant to A.R.S. § 4-201, approve an application filed by Judith Ann Guarino for a New Series 12 Liquor License for Wow Cafe at 10746 West Bell Road, Sun City, AZ 85351. (AZ12078099)(Supervisory District 4) (C-06-10-057-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Wilcox, Wilson  
Nays: Brock  
Absent: Kunasek

##### **c. SPECIAL EVENT LICENSE FOR KNIGHTS OF COLUMBUS COUNCIL #11809**

Pursuant to A.R.S. § 4-203.02, approve a Special Event Liquor License Application filed by Michael F. Chabak for the Knights of Columbus Council #11809 at 14818 W. Deer Valley Drive, Sun City West, AZ 85375 to be held on September 22, 2009 from 5:30 p.m. to 9:00 p.m. (Supervisory District 4) (C-06-10-061-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Wilcox, Wilson  
Nays: Brock  
Absent: Kunasek

##### **d. NEW LICENSE FOR HEART AND SOUL CAFE**

Pursuant to A.R.S. § 4-201, approve an application filed by Sheila Lori Bryson for a New Series 12 Liquor License for Heart and Soul Cafe at 4705 E. Carefree Highway

#117, Cave Creek, AZ 85331. (AZ12078086)(Supervisory District 3) (C-06-10-062-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Wilcox, Wilson  
Nays: Brock  
Absent: Kunasek

**8. IMPACT STATEMENT FOR THE PROPOSED LONGMANOR IRRIGATION WATER DELIVERY DISTRICT**

Pursuant to A.R.S. § 48-261 and § 48-263, convene the scheduled public hearing on the impact statement for the proposed Longmanor Irrigation Water Delivery District.

The Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district impact statement and authorize the persons proposing the district to circulate petitions.

The proposed district is located in the Longmanor Subdivision Community between Indian School Road and Clarendon Avenue near 42nd Place and 43rd Street in Phoenix and contains approximately 62 parcels (Supervisory District 3). (C-06-10-001-7-01)

The Clerk informed the Board that all paper work, including the impact statement has been submitted by this group and all is in the proper order at this point.

Julie Beake, resident, came forward to voice a complaint of the additional tax liability for everyone in the district to pay just to cover irrigation. She said she does not have an irrigation system but uses a sprinkler system on her property.

Fran McCarroll responded that today's action allows the formation group to circulate petitions to residents and it does not create the district. This is only a first step in that creation. She explained that the tax liability would cover the cost of irrigation only within the district boundaries.

Supervisor Stapley said that neighborhood meetings could be called to discuss this matter following this first step approval, adding that the usual reason to form a district was to repair older systems that no longer functioned well.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**Public Works**

**9. ROAD FILE DECLARATIONS**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

**a. ROAD FILE NO. A378**

Road File No. A378, said alignment is also known as 3rd Street from Linda Lane to Honda Bow Road, lying within Supervisor District No. 3.

General Vicinity: 3rd Street from Linda Lane to Honda Bow Road, lying within Supervisor District No. 3. This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703. (C-91-10-006-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**b. ROAD FILE NO. A420**

Road File No. A420, said alignment is also known as 30th Drive from Olney Avenue to Elliot Road, lying within Supervisor District No. 5.

General Vicinity: 30th Drive from Olney Avenue to Elliot Road. This action is in accordance with A.R.S. Title 28- 6701, 6702 and 6703.  
Supervisory District No. 5 (C-91-10-008-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

**Sheriff**

**10. IGA WITH FIVE ARIZONA LAW ENFORCEMENT AGENCIES FOR SHARING LAW ENFORCEMENT INFORMATION**

Pursuant to A.R.S. 13-3872, and in accordance with the provisions of A.R.S. Title 11, Chapter 7, Article 3, approve Intergovernmental Agreements (IGA's) between five law enforcement agencies: Yavapai County Sheriff's Office, Flagstaff Police Department, Williams Police Department, Chino Valley Police Department, Northern Arizona University and Maricopa County on behalf of the Maricopa County Sheriff's Office (MCSO) for the purpose of sharing of law enforcement information through the AZLink program and the five law enforcement agencies as client agencies of the Regional Law Enforcement System, for which the Maricopa County Sheriff's Office is the authorized regional link for the Northern Arizona region.

This Agreement becomes effective when it is fully executed and filed with the Secretary of State and will remain in force for two years or until either part provides 60 days written notice of intent to terminate. (C-50-10-016-3-ZZ)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**11. AMENDMENT TO IGA WITH THE CITY OF MESA FOR PARTICIPATION IN COMMUNITY ORIENTED POLICING SERVICES (COPS) METH INITIATIVE**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between the Maricopa County Board of Supervisors acting on behalf of the Maricopa County Sheriff's Office and the City of Mesa, an Arizona Municipal Corporation for the Mesa Police Department. This amendment extends the expiration date of the Agreement from August 31, 2009 until August 31, 2010. The original Agreement was approved by the Board of Supervisors on December 3, 2008 (C-50-09-044-3-00) with term of October 1, 2008 through August 31, 2009.

This amendment is for the term only, there are no additional grant funds. (C-50-09-044-3-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**12. AMENDMENT TO IGA WITH THE CITY OF TEMPE FOR PARTICIPATION IN THE COMMUNITY ORIENTED POLICING SERVICES (COPS) METH INITIATIVE**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between the Maricopa County Board of Supervisors acting on behalf of the Maricopa County Sheriff's Office and the City of Tempe, an Arizona Municipal Corporation for the Tempe Police Department. This amendment extends the expiration date of the Agreement from August 31, 2009 until August 31, 2010. The original Agreement was approved by the Board of Supervisors on May 20, 2009 (C-50-09-070-3-00) with term of April 1, 2009 through August 31, 2009.

This amendment is for the term only, there are no additional grant funds. (C-50-09-070-3-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**13. AGREEMENTS (ARRA FUNDED) BETWEEN GOODYEAR AND SURPRISE POLICE DEPARTMENTS FOR PARTICIPATION IN THE MARICOPA COUNTY NEIGHBORHOOD NARCOTICS TEAM - SALARY**

Approve two FY 2010 Agreements for the purpose of reimbursing the Goodyear and the Surprise Police Departments for salaries of one officer from each agency assigned to participate in the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET). These Agreements are funded by an American Recovery and Reinvestment Act (ARRA) grant through the Arizona Criminal Justice Commission approved by the Board on July 22, 2009, (C-50-10-003-G-00).

The amount designated for salary reimbursement is \$165,197; Goodyear Police Department will be reimbursed an amount not to exceed \$74,441 and Surprise Police Department will be reimbursed an amount not to exceed \$90,756. These funds were included in the FY 2010 Sheriff's Office budget submission. (C-50-10-023-3-ZZ)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**14. AGREEMENTS (AARA FUNDED) BETWEEN GOODYEAR AND SURPRISE POLICE DEPARTMENTS FOR PARTICIPATION IN THE MARICOPA COUNTY NEIGHBORHOOD NARCOTICS ENFORCEMENT TEAM - OVERTIME**

Approve two FY 2010 Agreements for the purpose of reimbursing Goodyear and Surprise Police Departments for overtime of one officer assigned from each agency to participate in the Maricopa County Neighborhood Narcotics Enforcement Team (MCNNET). These Agreements are funded through the American Recovery and Reinvestment Act (ARRA) by a grant from Bureau of Justice (BJA), Edward Byrne Memorial Justice Assistance grant through Maricopa County approved by the Board on May 20, 2009, (C-42-09-009-G-00).

The amount designated for overtime reimbursement is an amount not-to-exceed \$30,000; Goodyear and Surprise Police Departments will be reimbursed up to \$15,000 each. These funds were included in the FY 2010 Sheriff's Office budget submission. (C-50-10-026-3-ZZ)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**15. DONATION OF TWO CANINES FROM EYE DOG FOUNDATION**

Accept donations from the Eye Dog Foundation of two, three-year old male German Shepherd dogs to the Maricopa County Sheriff's Office Canine Unit. These dogs have an estimated value of \$3,000 each.

These dogs were initially bred and trained for assisting the blind; however, neither possess the appropriate demeanor for that task. Each dog possesses the attributes to be a good police dog. They will be trained to replace existing dogs designated for retirement. (C-50-10-027-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**Superintendent of Schools**

**16. INTERGOVERNMENTAL AGREEMENTS FORM WITH VARIOUS SCHOOL DISTRICTS FOR ELECTION SERVICES**

Approve 57 FY 2010 Intergovernmental Agreements for the purpose of Open Agreement and Intergovernmental Agreement (IGA) with School Districts for Election Services.

Approve an open agenda item regarding the Intergovernmental Agreement (IGA) between Maricopa County on behalf of the Maricopa County Superintendent of Schools (MCSOS) and various school districts within Maricopa County for election services. The Office of Maricopa County Superintendent of Schools (MCSOS) will obtain agreements with each participating school district. Each agreement will be delivered to the Office of the Clerk of the Board (COB) for final execution, recording and official filing. MCSOS will be responsible for delivering duplicate originals of agreements to the named school districts. Each IGA shall become effective from and after the date of its execution and expire upon completion of all agreed upon services.

Approve the form of the IGA as presented which outlines the responsibilities of each of the parties to conduct school district elections in Maricopa County pursuant to A.R.S. §15-301(C) and A.R.S. §15-342(13). This Intergovernmental Agreement (IGA) provides a binding



agreement between the Maricopa County School Superintendent (hereafter referred to as the School Superintendent) and a school district (hereafter referred to as the School District) for elections services. Maricopa County is authorized to enter into this IGA under A.R.S. §11-952 for the purposes of exercising joint powers or contracting for services.

Any amendment/revisions to the form will be brought back to the Board of Supervisors (BOS) for consideration/approval. (C-37-10-061-3-ZZ)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **TRIAL COURTS**

### **Adult Probation**

**17. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR THE PURCHASE OF LAPTOP COMPUTERS AND OFFICER RADIOS**

Approve an exception to the Technology Finance Program (TFP) to allow the Adult Probation Department to purchase five Dell laptop computers and five Motorola XTS2500 radios through a one-time expenditure of funds in the Adult Probation grant fund (211). The total cost is estimated not-to-exceed \$25,555.00.

Adult Probation recently received a grant from the Bureau of Justice Assistance entitled "Combating Criminal Narcotic Activity Stemming from the Southern Border of the United States". The goal of this project is to reduce crime through the apprehension of probation absconders who are on probation for drug-related offenses. This grant provides salary and fringe benefit costs for five Surveillance Officer positions and their related equipment. This grant was accepted by the Board of Supervisors at the meeting of August 5, 2009 on agenda C-11-10-001-G-00. (C-11-10-002-M-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

### **Juvenile Probation and Detention**

**18. RESOLUTION FOR PARTICIPATION IN STATE OF ARIZONA FAMILY COUNSELING PROGRAM**

Participate, by resolution, in the State of Arizona Family Counseling Program for FY 2009-10, administered by the Juvenile Court pursuant to A.R.S. 8-261 through 8-265 for the purpose of strengthening family relationships and prevention of juvenile delinquency.

Authorize the use of \$91,726 in matching General Funds for FY2009-10, which is included in the Department's FY 2009-10 General Fund (100) appropriated budget.

The Juvenile Probation Department in Maricopa County has participated in the Family Counseling Program provided by the Arizona State Legislature, A.R.S. 8-261 through 8-265 for the past 36 years. The objective of the program is to divert delinquent or incorrigible offenders from the court process by providing counseling until the family can mobilize its own resources for meeting its problems. In addition the counseling is provided to reduce referral frequency to the Juvenile Probation Department. The allocation to Maricopa County

for FY 2009-10 is \$366,902, which will be retained by the Administrative Office of the Supreme Court. A four (4) to one (1) ratio County match is required in the amount of \$91,726 and is included in the Juvenile Probation Department's FY2009-10 budget. A resolution by the Board of Supervisors will make it possible for approximately 1,500 families to participate in the Family Counseling Program during the next fiscal year. (C-27-10-001-G-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

### **Superior Court Judges and Commissioners**

#### **19. SUPERIOR COURT ELECTRONIC COURTROOM PURCHASE AND INSTALLATION**

Pursuant to A.R.S. § 42-17106, transfer FY 2009-10 expenditure appropriation in the amount of \$101,100 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring/Non-Project (0001) Potential Expenditures from Fund Balance line to Superior Court (800) Special Revenue Fund (259) Non-Recurring/Non-Project (0001).

Approval of this action will allow the Superior Court to fund installation of previously procured electronic courtroom equipment in six Superior Court courtrooms, which are East Court Building (ECB) 611, ECB 711, ECB 714, ECB 811, ECB 814 and the Central Court Building ninth floor hearing room. In addition, this funding will allow the Superior Court to fund \$37,100 for the purchase and installation of electronic courtroom recording equipment for the South East Facility (SEF) 203 courtroom.

The Maricopa County Board of Supervisors approved the purchase of necessary electronic courtroom equipment to outfit six Superior Court courtrooms with complete electronic recording systems in FY 2009. While there was time to procure the equipment with FY 2009 funds, there was inadequate time to install it prior to the end of FY 2009. Therefore, this item is essentially a continuance of a previously reviewed item and requests funds to have the equipment installed within the six courtrooms.

Superior Court Administration requested that the Electronic Recording division of Court Technology Services (CTS) procure the necessary equipment and installation services to outfit a courtroom located at the SEF location with a complete electronic recording system. CTS obtained quotes for these items from Exhibit One, who is the contracted vendor. (C-80-10-004-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

### **DEPUTY COUNTY MANAGER**

#### **Management and Budget**

#### **20. AMEND PERSONNEL AGENDA AND LUMP SUM MERIT AWARDS FOR MARICOPA COUNTY AND THE JUDICIAL BRANCH**

Amend the approved Maricopa County and Judicial Branch Personnel Agendas for the period of January 3, 2009 to July 15, 2009 and the 2009 One-Time Lump Sum Merit Awards

consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The personnel agenda and Lump Sum Merit Awards are on file in the Office of the Clerk of the Board. Amending this action is necessary due to the inclusion of incorrect working title information. (C-49-10-002-6-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **Office of Enterprise Technology**

**21. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM FOR PURCHASE OF REPLACEMENT VOICE MAIL SYSTEM**

Approve an exception to the Technology Finance Program (TFP) allowing the Office of Enterprise Technology to purchase a replacement Voice Mail system using one-time fund balance from the Office of Enterprise Technology (410) Telecommunications Fund (681). Operating costs are already included in the telecommunications operating budget. (C-41-10-003-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **Public Health**

**22. PARTNERSHIP AGREEMENT WITH OSBORN SCHOOL DISTRICT FOR NUTRITION AND PHYSICAL ACTIVITY EDUCATION**

Approve a non-financial Partnership Agreement (PA) between Osborn School District and Maricopa County by and through its Department of Public Health's (MCDPH) Arizona Nutrition Network (ANN) to provide nutrition and physical activity education to the schools in this district. The PA is part of the ANN grant. This PA will be in effect from October 1, 2009 to September 30, 2012. (C-86-10-012-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**23. PARTNERSHIP AGREEMENT WITH LAVEEN ELEMENTARY SCHOOL DISTRICT FOR NUTRITION AND PHYSICAL ACTIVITY EDUCATION**

Approve a non-financial Partnership Agreement (PA) between Laveen Elementary School District, and Maricopa County by and through its Department of Public Health's Arizona Nutrition Network (ANN) to provide nutrition and physical activity education to the schools in this district. The PA is part of the ANN grant. This PA will be in effect from October 1, 2009 to September 30, 2012. (C-86-10-013-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**24. PARTNERSHIP AGREEMENT WITH CREIGHTON SCHOOL DISTRICT FOR NUTRITION AND PHYSICAL ACTIVITY EDUCATION**

Approve a non-financial Partnership Agreement (PA) between Creighton School District and Maricopa County by and through its Department of Public Health's Arizona Nutrition Network (ANN) to provide nutrition and physical activity education to the schools in this district. The PA is part of the ANN grant. This PA will be in effect from October 1, 2009 to September 30, 2012. (C-86-10-014-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**25. PARTNERSHIP AGREEMENT WITH MADISON ELEMENTARY SCHOOL DISTRICT FOR NUTRITION AND PHYSICAL ACTIVITY EDUCATION**

Approve a non-financial Partnership Agreement (PA) between Madison Elementary School District and Maricopa County by and through its Department of Public Health's Arizona Nutrition Network (ANN) to provide nutrition and physical activity education to the schools in this district. The PA is part of the ANN grant. This PA will be in effect from October 1, 2009 to September 30, 2012. (C-86-10-015-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**26. PARTNERSHIP AGREEMENT WITH FOWLER ELEMENTARY SCHOOL DISTRICT FOR NUTRITION AND PHYSICAL ACTIVITY EDUCATION**

Approve a non-financial Partnership Agreement (PA) between Fowler Elementary School District and Maricopa County by and through its Department of Public Health's Arizona Nutrition Network (ANN) to provide nutrition and physical activity education to the schools in this district. The PA is part of the ANN grant. This PA will be in effect from October 1, 2009 to September 30, 2012. (C-86-10-016-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**27. AMENDMENT TO IGA WITH ADHS FOR USE OF PERSONNEL TO SUPPORT VITAL RECORDS REQUEST**

Approve Amendment No. 1 to the non-financial Intergovernmental Agreement (IGA) between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health (MCDPH). This amendment exercises the right to extend the term of the contract, pursuant to page Three (3), Special Terms and Conditions, Provision 4.2. This amendment also makes changes to the Uniform Terms and Conditions. This Intergovernmental Agreement is non-financial and new effective term will be from July 31, 2008 through July 30, 2010. All other terms and conditions of the original IGA remain unchanged and in full force and effect. (C-86-09-014-3-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**28. AGREEMENT FOR THE USE OF FACILITIES, PERSONNEL AND EQUIPMENT WITH ARIZONA ICEMAN, INC.**

Approve the Agreement for the Use of Facilities, Personnel and Equipment between Arizona Icedman, Inc., and Maricopa County through its Department of Public Health's Office of Preparedness and Response (OPR) to collaborate with Arizona Icedman, Inc. for the use of their site and equipment in the event of a public health emergency. The term of this non-financial agreement shall begin upon execution by both parties and shall be in effect until terminated by either party.

The MCDPH, Office of Preparedness Response was previously known as the Maricopa Department of Public Health Emergency Management Program (PHEM) (C-86-10-020-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**29. GRANT AWARD FOR THE FIRST THINGS FIRST - PREVENTION AND EDUCATION PROGRAMS IN NORTHWEST MARICOPA GRANT**

Approve the grant award from Arizona Early Childhood Development and Health Board, First Things First's (FTF-RC008-10-0045-00) Prevention and Education Programs grant for the Northwest Maricopa Regional Partnership Councils to Maricopa County through its Department of Public Health. The grant award is in the amount not-to-exceed \$625,600 for the budget term beginning September 1, 2009 through June 30, 2010. This contract can be renewed by First Things First on year to year basis for a total three year term.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 09-2010 is 19.5%; therefore \$56,873 is allowable and \$54,029 is unallowable.

Funding for this grant will be provided by First Things First and will not affect the County general fund. (C-86-09-075-G-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**30. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM CAPITAL ASSET POLICY FOR PURCHASE OF LAPTOP**

Approve the exemption to the Technology Finance Program (TFP), Capital Asset Policy A2507 Sub Section C. E. 4 and Subsection C. H. to allow the Department of Public Health (860) fund (532) operating budget (0000) to purchase:

- Two (2) Laptop computers with an estimated amount of \$2,950.18.

Funding for these laptops is coming from prior year grant award which is not a cost reimbursement grant. The grantor authorized time extension to spend down fund balance for program enhancement and grant related expenditures. These laptops will be used for telecommuting and for field use of health educators.

This purchase is 100% grant funded and will be absorbed within OHPE's budget for the grant year ending July 1, 2010. (C-86-10-021-M-00)

Motion to approve by: Supervisor Brock Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**31. PROCUREMENT CHANGE ORDER TO IGA WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR IMMUNIZATION SERVICES**

Approve Procurement Change Order No. 3 to Purchase Order (E9H29350) to Intergovernmental Agreement (IGA) (No. HG854288) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide immunization services. This Procurement Change Order increases funding by \$780,351 for a total funding amount of \$1,803,956 for budget period January 1, 2009 through December 31, 2009. The term for this IGA is January 1, 2008 through December 31, 2012. All other terms and conditions of the original IGA shall remain in full force and effect.

The Department of Public Health indirect rate for FY 2009-10 is 19.5%. This amendment is for the grant cycle that started January 1, 2009 with the indirect rate of 18%. Grant indirect costs are fully recoverable, and are estimated to be \$275,180.

FY 2009 financials are for information only to reflect full award. This grant is on a calendar year. Adjustment on financials include carry forward grant award not reflected in the adopted budget plus the change order of \$780,351. Funding for this agreement is provided by a Grant from ADHS and will not increase the County general fund budget. (C-86-08-056-2-03)

Motion to approve by: Supervisor Brock Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**32. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PROP 201 EDUCATION AND COMPLIANCE ACTIVITIES**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) between Arizona Department of Health Services (ADHS) (HG854527) and Maricopa County through the Department of Public Health for PROP 201 Education and Compliance Activities (Prop 201) in accordance with the Smoke Free Arizona Act. Amendment No. 2 replaces the Price Sheet of Amendment No. 1 and decreases funding by \$42,375 from \$282,500 to a new not to exceed amount of \$240,125. This amendment also makes administrative changes to the Scope of Work. The term of this IGA is July 1, 2008 through June 30, 2013. The budget period is July 1, 2009 to June 30, 2010. All other terms and conditions of the original IGA remain unchanged and in full force and effect.

The Department of Public Health's indirect rate for FY2009-2010 is 19.5%. Grant indirect costs are fully recoverable in the amount of \$39,184.

Funding for this IGA is provided by a grant from ADHS and does not increase the County general fund budget. (C-86-09-015-G-02)

Motion to approve by: Supervisor Brock Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**33. RESCIND AND APPROVE AMENDMENT WITH BANNER HEALTH D/B/A BANNER GOOD SAMARITAN MEDICAL CENTER FOR PUBLIC INFORMATION LINE**

1. Rescind the action taken on July 22, 2009 (C-86-09-011-3-01) to approve Amendment No. 1 for the Banner Health System d/b/a Banner Good Samaritan Medical Center (BGSMC) to provide a Public Information Line (PIL). BGSMC will provide a PIL hotline that will operate 24-hours a day, 7 days a week. This Amendment No. 1 was never executed and BGSMC requested an updated version of the Amendment No. 1 to be approved.

2. Approve (revised) Amendment No. 1 to Contract between Banner Health System d/b/a Banner Good Samaritan Medical Center (BGSMC) and Maricopa County through the Department of Public Health, Office of Preparedness and Response (OPR) to provide a Public Information Line (PIL). BGSMC will provide a PIL hotline that will operate 24-hours a day, 7 days a week. The contract term is from July 1, 2009 through June 30, 2010 for the budget amount is not-to-exceed \$134,000. Maricopa County has the right to extend this contract for additional periods, not-to-exceed a total term of four years. (C-86-09-011-3-02)

Motion to approve by: Supervisor Brock Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

**Animal Care & Control Services**

**34. AGREEMENT WITH HOME 'FUR'GOOD, ANIMAL RESCUE & PLACEMENT FOR NEW HOPE PROGRAM**

Approve an Agreement between Home 'Fur' Good, Animal Rescue & Placement, a 501 (C) 3 corporation, P. O. Box 55881, Phoenix, AZ 85078, and Maricopa County to allow Home 'Fur' Good, Animal Rescue & Placement under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 15 new hope rescues over the term of the agreement, for a total of \$600. The term of this Agreement is from September 2, 2009 through June 30, 2010. (C-79-10-023-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**35. KENNEL PERMIT FOR BIMINI KENNELS**

Approve kennel permit #028 pursuant to A.R.S. §11-1009 for Bonnie Yarnell, d.b.a. Bimini Kennels, 21039 S. 158th Street, Gilbert, AZ 85296 in District 1 for the term of August 19, 2009 through August 18, 2010. The cost of a kennel permit is \$328. (C-79-10-024-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**36. KENNEL PERMIT FOR ACOSTA KENNELS**

Approve kennel permit #019 pursuant to A.R.S. §11-1009 for Angel and Tomasa Acosta, d.b.a. Acosta Kennels, 3807 W. Pierce Street, Phoenix, AZ 85009 in District 5 for the term of September 2, 2009 through September 1, 2010. The cost of a kennel permit is \$328. (C-79-10-025-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**37. KENNEL PERMIT FOR FOWLER KENNELS**

Approve kennel permit #029 pursuant to A.R.S. §11-1009 for Stephen Fowler, d.b.a. Fowler Kennels, 227 E. Mano Drive, New River, AZ 85087 in District 3 for the term of September 2, 2009 through September 1, 2010. The cost of a kennel permit is \$328. (C-79-10-026-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**38. KENNEL PERMIT FOR SHANTE AFGHANS KENNELS**

Approve kennel permit #023 pursuant to A.R.S. §11-1009 for Marilyn Domhoff, d.b.a. Shante Afghans Kennels, 6824 W. Karen Lee Lane, Peoria, AZ 85352 in District 4 for the term of September 2, 2009 through September 1, 2010. The cost of a kennel permit is \$328. (C-79-10-027-L-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**Human Services**

**39. AMENDMENT TO AGREEMENT WITH FSL HOME IMPROVEMENT TO PERFORM WEATHERIZATION LOW-INCOME ASSISTANCE FUNDED BY ARIZONA PUBLIC SERVICES**

Approve Amendment No. 7 to the grant agreement between FLS Home Improvement, an affiliate corporation of the Foundation for Senior Living and Maricopa County administered by its Human Services Department to increase the Contract amount by \$53,884 making the total Contract funding for FY 2010 \$1,055,435. This Contract is effective July 1, 2009 through June 30, 2010.

The purpose of this Amendment is to:

Increase the Contract amount by an additional \$53,884 which is fully funded by a contribution from the Arizona Public Services (APS);

Incorporate the Operating Budget which is detailed as "Attachment A";

Utilize this Operating Budget as its own and separate from the Revenue Source in Amendment #6;



This Amendment does not change the Contract period of July 1, 2009 through June 30, 2010. However, this Operating Budget of APS funds in the amount of \$53,884 must be expended and work completed by October 20, 2009.

This contract is fully funded by a contribution from the Arizona Public Services (APS) (C-22-08-059-3-01) and will not affect the County general fund. (C-22-08-089-1-06)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**40. CONTRACT WITH CENTRAL ARIZONA SHELTER SERVICES TO PROVIDE EMERGENCY AND LOW DEMAND SHELTER SERVICES**

Approve a Contract between Central Arizona Shelter Services and Maricopa County through the Human Services Department, in the not-to-exceed amount of \$802,698 The purpose of this Contract is to provide shelter and support services protecting the physical, emotional, and mental well being of eligible homeless individuals and families while assisting them to become self-sufficient. This Contract is effective from July 1, 2009 until June 30, 2010.

The department is awarding the contract at the direction of the Board of Supervisors without competition. These funds are subject to disbursement at the sole discretion of the Board to any governmental agency or non-profit corporation provided that the funds are used for the purpose determined by the Board. This contract impacts the general fund. (C-22-10-014-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**41. AMENDMENT TO CONTRACT WITH VALLEY OF THE SUN YMCA FOR THE LAS ARTES DE MARICOPA COUNTY PROGRAM**

Approve Amendment No. 3 to a Contract between Valley of the Sun YMCA for the Las Artes de Maricopa County Program and Maricopa County, administered by its Human Services Department. The purpose of this Amendment is to renew the Contract for year three of the four one-year options and to provide funds for the Workforce Investment Act (WIA) Youth Program. This Amendment will provide services to 200 youth.

The Amendment is effective from September 1, 2009 to August 31, 2010. The Amendment will provide the amount not-to-exceed \$986,000. This Amendment is funded under the Federal WIA of 1998 by an Intergovernmental Agreement (IGA) with Arizona Department of Economic Security (C-22-10-008-3-00) (which was approved on July 22, 2009). This Contract does not contain any County general funds. (C-22-08-097-1-04)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**42. IGA WITH MESA PUBLIC SCHOOLS FOR HEAD START FOOD SERVICES**

Approve an Intergovernmental Agreement (IGA) between Mesa Public School District and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$313,098. This IGA is funded by a grant from U.S. Department of Health and Human Services, (C-22-09-134-G-00) and the Child and Adult Care Food Program (CACFP). The

purpose of this IGA is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This IGA is effective October 1, 2009, through September 30, 2010.

The IGA represents a fixed price agreement per each meal and snack served, for an amount not to exceed \$313,098. The IGA requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program, and the U.S. Department of Health and Human Services provide funding for the IGA. This agreement does not include any County General Funds.

In accordance with federal regulations and guidelines, one of Head Start's goals is to promote the optimal nutritional status of every enrolled child. Meal times and food are a vital part of the total education program forming life-long attitudes that affect health and well-being. The District provides the quality food-catering services required by Maricopa County Head Start Zero-Five Program. There is no long-term commitment on the part of the County to continue this agreement beyond the one-year term of the agreement. The IGA is subject to the availability of funds. (C-22-10-015-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**43. IGA WITH TEMPE ELEMENTARY SCHOOL DISTRICT NO. 3 FOR HEAD START FOOD SERVICES**

Approve an Intergovernmental Agreement (IGA) between Tempe Elementary School District No. 3 and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$227,509. This IGA is funded by a grant from U.S. Department of Health and Human Services, (C-22-09-134-G-00) and the Child and Adult Care Food Program (CACFP). The purpose of this IGA is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This IGA is effective from October 1, 2009 until September 30, 2010.

The IGA represents a fixed price agreement per each meal and snack served for an amount not to exceed \$227,509. The IGA requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program, and the U.S. Department of Health and Human Services provide funding for the IGA. This agreement does not include any County General Funds.

In accordance with federal regulations and guidelines, one of Head Start's goals is to promote the optimal nutritional status of every enrolled child. Meal times and food are a vital part of the total education program forming life-long attitudes that affect health and well-being. The District provides the quality food-catering services required by Maricopa County Head Start Zero-Five Program. There is no long-term commitment on the part of the County to continue this agreement beyond the one-year term of the agreement. The IGA is subject to the availability of funds. (C-22-10-016-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**44. ACCEPT AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 HEAD START EXPANSION GRANT FUNDS**

Accept first year's grant funds through the American Recovery and Reinvestment Act (ARRA) for Head Start Expansion Funding in the amount of \$1,884,047 from U.S.

Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF)/Office of Head Start (OHS) to Maricopa County through its Human Services Department to expand the number of children served in Head Start. The term of the grant is for two years, September 30, 2009- September 29, 2011; however funding is requested and provided annually, with first year's funding term September 30, 2009 through September 29, 2010. This first year's funding includes one-time start up funding in the amount of \$224,641. The sub-recipient (delegate agency) of this grant receives \$474,456 of the first year funds, including start-up funding. Additionally, food contracts and computers totaling \$29,600 are not included in the indirect calculation. The Human Services Department current negotiated DHHS indirect rate for FY2008-09 is 15.2% while the FY2009-10 indirect rate is 18% (pending negotiation). The estimated recoverable indirect expenses are \$182,082 and the estimated unrecoverable indirect expenses are \$33,541. Grant indirect expenses may be incurred by the Human Services Department or Maricopa County for the administration of this grant, although administrative expenses may not exceed 15% of the total project cost (federal and non-federal in-kind match).

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation.

On May 8, 2009, Maricopa County Head Start Zero-Five Program received notification that we were eligible to apply for ARRA Head Start Expansion funding, with applications due June 23, 2009. The purpose of this funding is to support an increase in the enrollment of additional children as well as create new teacher and other positions in Head Start programs. A total of \$2,618,532 is allocated for Arizona and Maricopa County's application competes for funding along with other grantees in the state.

These ARRA funds will serve 222 additional low-income, 3-5 year old children in Maricopa County, outside of the City of Phoenix (132 will be served in the East Valley in Mesa and Gilbert, and 90 children in the West Valley in Avondale, El Mirage and Tolleson). At the end of May 2009, there were 1,378 children on the waitlist for Head Start services, indicating a large, unmet need in the community. Both center and home-based services will be provided (186 in center-based and 36 in home-base). A total of 35 new jobs will be created (22 teaching positions and 13 other positions). Mesa Public Schools and school districts in the West Valley will be donating additional classrooms for this expansion. Please see the attachment "ARRA of 2009 HS EXPANSION AGENDA ATTACHMENT.doc" for additional information. The grant includes a 90-day start-up period to allow for the purchase of classroom materials, classroom set-up and licensing, and staff recruitment and training. (C-22-10-018-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**45. ACCEPT AMERICAN RECOVERY AND REINVESTMENT ACT EARLY HEAD START EXPANSION GRANT FUNDS**

Approve the acceptance of American Recovery and Reinvestment Act (ARRA) grant funds from U.S. Department of Health and Human Services (DHHS)/Administration for Children and Families (ACF), Office of Head Start (OHS), in the not-to-exceed amount of \$1,910,595 for the purpose of expanding the Early Head Start services provided by the Maricopa County Head Start Zero-Five Program. The term of the grant is for two years, September 30, 2009-September 29, 2011; however funding is requested and provided annually, with first year's funding term September 30, 2009 through September 29, 2010. This first year's funding includes one-time start up funding in the amount of \$431,204. The sub-recipient (delegate agency) of this grant receives \$547,496 of the first year funds, including start-up funding.

Additionally, food contracts, equipment, and renovations totaling \$138,800 are not included in the indirect calculation. The Human Services Department current negotiated DHHS indirect rate for FY2008-09 is 15.2% while the FY2009-10 indirect rate is 18% (pending negotiation). The estimated recoverable indirect expenses are \$161,539 and the estimated unrecoverable indirect expenses are \$29,757. Grant indirect expenses may be incurred by the Human Services Department or Maricopa County for the administration of this grant, although administrative expenses may not exceed 15% of the total project cost (federal and non-federal in-kind match). These funds will enable Maricopa County and its delegate agency to serve 118 additional low-income pregnant women and children 0-3 years of age and their families, and create 24.5 new positions. The budget request will include revenues and expenditures of \$1,910,595.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation.

On May 8, 2009, Maricopa County Head Start Zero-Five Program received notification that we were eligible to apply for ARRA Early Head Start Expansion funding, with applications due July 9, 2009. The purpose of this funding is to support an increase in the enrollment of additional children as well as create new teacher and other positions in Early Head Start programs. A total of \$12,950,000 is allocated for Arizona and Maricopa County's application competes for this funding. Eligible applicants include both existing Early Head Start grantees in Arizona as well as other entities that want to become a new Early Head Start grantee.

These ARRA funds will serve 118 additional low-income pregnant women and children 0-3 years of age that live in Maricopa County, outside of the City of Phoenix (72 will be served in the East Valley in Mesa, Tempe, Chandler and Guadalupe, and 42 children in the West Valley in Glendale, Buckeye and Surprise). At the end of May 2009, there were 228 children on the waitlist for Early Head Start services. Both center and home-based services will be provided (48 in center-based and 36 in home-base). A total of 24.5 new jobs will be created (17 teaching positions and 7.5 other positions). Several existing and new community partners, including faith-based organizations, municipal community centers, social service agencies, and public schools, will be providing classroom space at free or reduced rental rates to support this program expansion. Please see the attachment "2010 ARRA EHS EXPANSION AGENDA ATTACHMENT.doc" for additional information. The grant includes a 120-day start-up period to allow for the purchase of classroom materials, construction of playgrounds and completion of minor building renovations, classroom set-up and licensing, recruitment and enrollment of families, and staff recruitment and training.

The total federal funds require a non-Federal Share (NFS) match of \$477,649, or 25 percent. We provide this match through in-kind contributions. The grant application states that a waiver to the NFS requirement of the start-up funds may be requested. We plan to request this waiver, which equals \$107,801. If the waiver is approved, our adjusted non-Federal Share requirement will be \$369,848. The grant and matching funds do not include any Maricopa County General Funds. (C-22-09-153-G-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**46. IGA WITH CHANDLER UNIFIED SCHOOL DISTRICT FOR HEAD START FOOD SERVICES**

Approve an Intergovernmental Agreement (IGA) between Chandler Unified School District and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$119,680. This IGA is funded by a grant from U.S. Department of Health and Human

Services, (C-22-09-134-G-00) and the Child and Adult Care Food Program (CACFP). The purpose of this IGA is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This IGA is effective from October 1, 2009 until September 30, 2010.

The IGA represents a fixed price agreement per each meal and snack served for an amount not to exceed \$119,680. The IGA requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program, and the U.S. Department of Health and Human Services provide funding for the IGA. This agreement does not include any County General Funds.

In accordance with federal regulations and guidelines, one of Head Start's goals is to promote the optimal nutritional status of every enrolled child. Meal times and food are a vital part of the total education program forming life-long attitudes that affect health and well-being. The District provides the quality food-catering services required by Maricopa County Head Start Zero-Five Program. There is no long-term commitment on the part of the County to continue this agreement beyond the one-year term of the agreement. The IGA is subject to the availability of funds. (C-22-10-017-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**47. IGA WITH SCOTTSDALE UNIFIED SCHOOL DISTRICT FOR HEAD START FOOD SERVICES**

Approve an Intergovernmental Agreement (IGA) between Scottsdale Unified School District and Maricopa County through its Human Services Department, in the not-to-exceed amount of \$35,244. This IGA is funded by a grant from U.S. Department of Health and Human Services, (C-22-09-134-G-00) and the Child and Adult Care Food Program (CACFP). The purpose of this IGA is to provide food catering to participants in Maricopa County Head Start Zero-Five Program. This IGA is effective from October 1, 2009 until September 30, 2010.

The IGA represents a fixed price agreement per each meal and snack served for an amount not to exceed \$35,244. The IGA requires the District to provide a minimum 1/3 to 2/3 of the daily recommended dietary allowances per day. The Arizona Department of Education Child/Adult Care Food Program, and the U.S. Department of Health and Human Services provide funding for the IGA. This agreement does not include any County General Funds.

In accordance with federal regulations and guidelines, one of Head Start's goals is to promote the optimal nutritional status of every enrolled child. Meal times and food are a vital part of the total education program forming life-long attitudes that affect health and well-being. The District provides the quality food-catering services required by Maricopa County Head Start Zero-Five Program. There is no long-term commitment on the part of the County to continue this agreement beyond the one-year term of the agreement. The IGA is subject to the availability of funds. (C-22-10-019-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**Medical Examiner**

**48. IGA WITH YAVAPAI COUNTY FOR MICROSCOPIC SLIDES**

Approve an Intergovernmental Agreement (IGA) between Yavapai County and Maricopa County through the Office of Medical Examiner, in the not-to-exceed amount of \$25,000. The purpose of this Intergovernmental Agreement is to produce microscopic slides for Yavapai County. This Intergovernmental Agreement is effective from September 16, 2009 until June 30, 2011.

Also approve per A.R.S. §42-17106 an appropriation increase in the Medical Examiner's Office (290) General Fund (100) Operating budget (0000) revenue and expenditures in the amount of \$25,000 associated with this action. Intergovernmental Agreement revenues are not local revenues for purposes of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-29-10-002-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**CHIEF FINANCIAL OFFICER**

**Finance**

**49. FUNDS TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**50. LEASE AGREEMENT WITH HHLUHR'S, LLC FOR USE OF PARKING SPACES**

Approve and authorize the Chairman to execute lease agreement L-7411 with HHLuhr's, LLC, as Lessor, for the use of 19 reserved parking spaces, for up to 30 months, on the first floor of the Luhr's parking garage at 195 S. 1st Avenue, Phoenix, AZ 85003.

Closure of Madison Street between 1st and 3rd Avenues for the construction of the Court Tower project will eliminate parking locations along Madison Street currently being used to park up to 19 Sheriff's Office vehicles. The parking spaces in the Luhr's garage will replace the 19 parking spaces along Madison Street which are currently used for Sheriff's Office vehicles. The leased parking spaces will be available on a 24-hour per day, 7-days per week basis at a monthly cost of \$100.00 per parking space, plus tax. (C-18-10-029-1-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **Materials Management**

### **51. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

#### **a. 09052-RFP, REAL ESTATE BROKER SERVICES**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09052-RFP

Item: Real Estate Broker Services (revenue contract estimate/three years until August 31, 2012, with three one year renewal option) TO PROVIDE REAL ESTATE SERVICES TO REPRESENT THE COUNTY IN PURCHASE, LEASE OR SALE OF REAL PROPERTY. THERE IS NO DOLLAR AMOUNT IN THE AWARD AS THAT WILL BE APPROVED IN EACH ENGAGEMENT AS DETERMINED ON THE PERCENTAGE IN THE CONTRACT.

Jones Lang LaSalle Arizona LLC  
Grubb & Ellis BRE Commercial (C-73-10-012-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **b. 09016-RFP, GROUNDSKEEPING SERVICES**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09016-RFP

Item: Groundskeeping Services (\$2,500,000.00 estimate/three years until September 2, 2012, with three one-year renewal option) This contract will provide groundskeeping services to county facilities.

Handyman Maintenance Inc. (C-73-10-013-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **c. 09048-S, PLUMBING SERVICES**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09048-S

Item: Plumbing Services (\$1,000,000.00 estimate/three years until August 31, 2012, with three one-year renewal option) Three year multiple award contract for all aspects of plumbing services at all Maricopa County site locations.

Grace Plumbing Services, Inc.  
Hernandez Companies, Inc.  
IMCOR  
Premier Mechanical Corporation  
Roto Rooter Svc & Plumbing Co. (C-73-10-014-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **Risk Management**

### **52. RACHELLE ALLEN VS. AARON ENGELBACK, ET AL.**

Approve Settlement in the amount of \$75,000.00 in the case Allen v. Engelback, et al., CV2009-021369 (Claim No.: AL5005051034119), and authorize the Risk Manager to sign any necessary settlement documents on behalf of the Board upon review and approval as to form by assigned legal counsel. This matter was discussed with the Board in Executive Session on August 17, 2009. (C-75-10-003-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

### **Air Quality Department**

### **53. AMENDMENT TO FULL SERVICE LEASE WITH CENTRAL ROOSEVELT1, LLC TO ADJUST OFFICE SPACE**

Approve and execute Amendment No. 3 to Lease No. C-85-05-007-0-02 with Central Roosevelt 1, LLC for the property located at 1001 N. Central Ave. The purpose of this amendment is to Space reallocation. This amendment is effective from September 1, 2009 to August 31, 2011.

Approve and execute amendment to full service lease No. L-7365 with Central Roosevelt1, LLC for the addition of 2411 square feet of office space on first floor and vacate 5156 square feet of office space on the fourth floor, making 36,837 square feet the amended total square feet of leased space as depicted in Exhibit A.

The change in leased space for the Air Quality Department at the subject leased facility was reviewed and approved by the Facilities Review Committee on May 28, 2009. (C-85-05-007-



0-04)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **Environmental Services**

### **54. AMENDMENT TO OFFICE SPACE LEASE WITH CENTRAL ROOSEVELT I, LLC**

Approve and execute Amendment Number 8 to the full service Lease No. L-7237 with Central Roosevelt I, LLC located at 1001 N. Central Ave., Phoenix, AZ.

To help consolidate the space requirements of the Maricopa County Environmental Services Department and in order to facilitate office space requirements for the Maricopa County Air Quality Department, the Environmental Services Department is vacating 2,411 square feet of office space on the First Floor of the 1001 N. Central Avenue building and occupy 5,156 additional square feet of office space on the Forth Floor resulting in a revised leased premises of 35,794 rentable square feet of leased space. The rental expenses are amended to the following: 9-1-09 to 6-30-10 \$559,281.25 plus rental tax, 7-1-10 to 6-30-11 \$689,034.50 plus rental tax, and 7-1-11 to 8-31-11 \$114,839.08 plus rental tax. All other terms and conditions of the current Lease Agreement remain the same and in full force. This item was endorsed by the Facilities Review Committee at their May 28th Committee meeting. This lease agreement may be canceled with a 90-day prior written notice. (C-88-97-024-4-08)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **Planning and Development**

### **55. RESOLUTION OF ADOPTION FOR THE DEVELOPMENT AGREEMENT WITH MWD 187, LLC**

Approve by Resolution of Adoption the Development Agreement with MWD 187, LLC, an Arizona Limited Liability Corporation and Maricopa County, pursuant to Maricopa County Subdivision Regulations.

The purpose of this Development Agreement is to ensure that the owner will not apply for, nor is entitled to receive, any permit from Maricopa County until the Owner or Owner's nominee has provided a new financial assurance that conforms to the requirements of statute, ordinance and any and all stipulations and conditions. This development agreement is to be recorded as required pursuant to A.R.S. 11-1101. (Supervisory District 4) (C-44-10-013-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Public Works**

#### **56. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-10-070-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **57. RESCIND EXISTING TRAFFIC CONTROLS FOR DIAMOND CANYON ELEMENTARY SCHOOL**

Rescind existing traffic controls (Designated School Crossing) on unincorporated right-of-way at the following location:

A DESIGNATED SCHOOL CROSSING ON Liberty Bell Way 10 feet south of Hastings Way for Diamond Canyon Elementary School. Supervisory District No. 3

This agenda item is the result of an agreement between the Principal of Diamond Canyon Elementary School and the Maricopa County Department of Transportation to relocate the existing Designated School Crossing to the north side of the intersection. (C-91-10-015-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **58. NEW TRAFFIC CONTROLS ON LIBERTY BELL WAY**

Approve new traffic controls (Designated School Crossings) on unincorporated right-of-way at the following locations:

A DESIGNATED SCHOOL CROSSING on Liberty Bell Way 10 feet north of Hastings Way for Diamond Canyon Elementary School. Supervisory District No. 3

This agenda item is the result of a traffic engineering study conducted at the request of the Principal/Superintendent of Diamond Canyon Elementary School to determine if warrants are met to install a designated school crossing. Warrants were met. (C-91-10-018-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **59. NEW TRAFFIC CONTROLS ON BETHANY HOME ROAD**

Approve new traffic controls (Designated School Crossings) on unincorporated right-of-way at the following locations:

A DESIGNATED SCHOOL CROSSING on Bethany Home Road 10 feet east of 125th Avenue for L. Thomas Heck Middle School. Supervisory District No. 4

This agenda item is the result of a traffic engineering study conducted at the request of the Principal/Superintendent of Litchfield Elementary School District to determine if warrants are met to install a designated school crossing. Warrants were met. (C-91-10-017-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**60. RESCIND EXISTING TRAFFIC CONTROLS FOR LAVEEN ELEMENTARY SCHOOL**

Rescind existing traffic controls (Designated School Crossing) on unincorporated right-of-way at the following location:

A DESIGNATED SCHOOL CROSSING ON 51st Avenue 10 feet south of La Mirada Drive for Laveen Elementary School. Supervisory District No. 5

This agenda item is the result of an agreement between the Laveen School District # 59, the Principal of Laveen Elementary School, the City of Phoenix and the Maricopa County Department of Transportation to remove the existing Designated School Crossing. (C-91-10-016-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**61. BID AND AWARD FOR ROADWAY IMPROVEMENTS ON NEW EL MIRAGE ROAD**

Approve the solicitation of bids for the roadway improvements of new El Mirage Road, between Bell Road and Deer Valley Drive as the first phase of the MAG ALCP project T103 (El Mirage Road, Bell Road to Beardsley Road) and the second phase of the MAG ALCP project T104 (El Mirage Road, Beardsley Road to SR303L); and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the project engineer's cost estimate by 10%.

This project has been fully designed and cleared with right-of-way, utilities, environmental, public relations, and subject to the terms of the pending intergovernmental agreement for reimbursement with MAG under the ALCP Regional Transportation Plan. This project is scheduled to bid for construction in October 2009. Supervisory District No. 4 (C-91-10-019-5-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

#### **62. APPOINTMENT TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Approve the appointment of Pat Gilbert to the Community Development Advisory Committee representing Supervisorial District 2. The term of the appointment will be effective as of the date of Board approval through June 30, 2010. (C-06-10-064-9-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **CONSENT AGENDA**

### **Clerk of the Board**

#### **63. APPOINTMENTS**

Approve the Official Appointment of Laverna M. Wilson as Limited Duty Special Deputy Clerk. (C-06-10-065-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **64. DUPLICATE WARRANTS**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-10-066-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **65. PRECINCT COMMITTEEMEN**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-10-067-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **66. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-10-068-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

## **BOARD OF SUPERVISORS ADDENDUM**

### **Board of Supervisors**

#### **A-1. WAIVERS FOR DEPUTY COUNTY ATTORNEYS RELATED TO LEGAL ADVICE**

Approve a motion to acknowledge that the following attorneys: Jean Rice, Kevin Costello, Rachelle Leibsohn, Roberto Pulver, Gary Strickland, Colleen Connor, Dan Brenden, Otis Smith, John Paulsen, Wayne Peck, Steve Palmer, and Brandon Newton, are attorneys in the Maricopa County Attorney's Office, which office was found to be in conflict with Maricopa County pursuant to the Arizona Rules of Professional Conduct ("Ethical Rules") by Judge Daughton on August 27, 2009 in a lawsuit filed by the County Attorney (CV2008-033194, Thomas and Arpaio vs. Maricopa County Board of Supervisors) ("Judge Daughton's Holding"); that the Board has been fully informed as to these conflict matters; has sought independent legal counsel on the question of whether the conflict of interest is imputed to the lawyer employees of the County Attorney's Office and therefore limits those attorneys' ability to continue representing Maricopa County; the the Board believes that Judge Daughton's Holding applies to the listed lawyers; that with full disclosure of the risks associated with granting a waiver of the conflict, including the possibility that the lawyers listed above might have to withdraw from representing the County in the future; that with the understanding that the listed lawyers routinely represent elected and appointed components of Maricopa County government and have no known individual conflicts with Maricopa County; and in order to continue the orderly process of providing legal advice to elected and appointed components of Maricopa County government; and as such, affirmatively grants an informed limited waiver of any such conflicts for a period of 21 days (ending September 24, 2009) allowing these attorneys to continue giving legal advice to the Board of Supervisors and/or any Maricopa County elected official, department or agency that is currently represented by these attorneys subject to the limitations and acknowledgment requirements outlined below.

Limitations: At no time in the next 21 days may any of the attorneys listed above 1) engage in any act that violates the Ethical Rules as they relate to the attorney client relationship; or 2) violate Ethical Rule 1.6 relating to client communications - this includes divulging any privileged client communications to individuals in the County Attorney's Office that are not included in the list above - without first obtaining a waiver from the County Manager.

Acknowledgement: Each lawyer listed above must indicate acceptance of this limited waiver by signing a printed form of this limited waiver on or before September 3, 2009 and submitting it to the Clerk of the Board.

As of this time, no other Deputy County Attorneys have been granted this waiver. (C-06-10-077-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**County Attorney**

**A-2. FEDERAL ANNUAL CERTIFICATION REPORT**

Approve the FY 2008-09 Federal Equitable Sharing Agreement and Annual Certification Report between the Maricopa County Attorney's Office (agency) and the U. S. Department of the Treasury and the U. S. Department of Justice. This report accounts for federal equitable sharing funds received from the U. S. Department of the Treasury or the U. S. Department of Justice. The term of this agreement commences October 1, 2009 and expires September 30, 2010. Also, authorize the Chairman of the Board of Supervisors to sign all documents related to this certification report and agreement.

Federal Sharing Agreements are entered into between the Federal Government, the Maricopa County Attorney's Office and the Maricopa County Board of Supervisors. It sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds and any interest earned thereon, which are equitably shared with participating agencies. (More commonly known as RICO funds). The Federal Annual Certification reports revenue and expenditures through June 30, 2009. Treasury funds are tracked separately from Justice funds (C-19-10-003-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**Public Health**

**A-3. AGREEMENT WITH NURSE-FAMILY PARTNERSHIP FOR IMPLEMENTATION OF THE NURSE-FAMILY PARTNERSHIP PROGRAM**

Approve a Nurse-Family Partnership Implementation Agreement between Nurse Family Partnership (NFP) and Maricopa County through its Department of Public Health (MCDPH), Office of Family Health, for the implementation of the Nurse-Family Partnership Program in an amount not-to-exceed \$56,793 for FY 2009-10. The Nurse-Family Partnership Program is an evidence-based model program for low-income, first time mothers and their children. This Agreement specifies the mechanisms and means for implementing the Program and NFP's training/support services during such implementation, and will allow the Office of Family Health to use the NFP model in its program. This agreement is effective August 15, 2009 through October 31, 2012 with automatic annual extensions until terminated in writing by either party.

Fees for NFP training/education services will be billable to MCDPH, and paid through grant funding from Arizona Childhood Development Board/First Things First. The grant award for the Nurse-Family Partnership Home Visitation in South Phoenix was approved by the Board on July 22, 2009 (C-86-09-063-G-01). MCDPH will adopt and implement the Nurse-Family Partnership (NFP) model in the South Phoenix Region to provide comprehensive community health nursing services to eligible women and their families. (C-86-10-023-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**A-4. MEMORANDUM OF UNDERSTANDING BY AND AMONG TERROS, INC., MARICOPA COUNTY, AND MAGELLAN HEALTH SERVICES FOR MARICOPA COUNTY OFFICE OF FAMILY HEALTH TEEN PROGRAM**

Approve a Memorandum of Understanding (MOU) by and among TERROS, Inc., Maricopa County through its Department of Public Health (MCDPH), and Magellan Health Services for MCDPH Office of Family Health's Teen Program. The MOU provides for one-time funding in the amount of \$10,000 to MCDPH with an effective date of August 1, 2009 and a termination date of June 30, 2010.

The Department of Public Health's indirect rate for FY 2009-2010 is 19.5%. This grant does not allow for indirect costs, therefore \$1,950 is not recoverable.

TERROS, Inc. will receive a one-time allocation of \$10,000 from Magellan Health Services, which will be pass through funding to support MCDPH's Teen Program in Maryvale. There is no contractual agreement binding Magellan Health Services with the MCDPH to continue this allocation in the future.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. (C-86-10-019-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**Materials Management**

**A-5. 06080-ROQ, SPECIALTY LEGAL SERVICES PROVIDERS – BOARD OF SUPERVISORS**

Approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Renewal/Extension Date: September 02, 2009 (Effective March 01, 2010) Serial: 06080-ROQ

Item: Specialty Legal Services Providers – Board of Supervisors (\$700,000.00 estimate/one year until February 28, 2011) Recommendation for renewal of contract for a one year period which provides specialty legal services providers to the Maricopa County Board of Supervisors.

Law Office of Ralph Adams  
Ballard, Spahr, Andrews & Ingersoll  
Engelman Berger, PC  
Law Office of Karen Clark  
Gaona Law Firm  
Kirsch-Goodwin & Kirsch, PLLC  
Moyes, Sellers & Sims LTD  
Sacks Tierney PA  
Polsinelli Shughart  
Swenson Storer & Andrews Frazelle  
Law Office of Rene Williams (C-73-10-011-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson

Absent: Kunasek

#### **Industrial Development Authority**

##### **A-6. DESIGNATE ALL AREAS WITHIN MARICOPA COUNTY AS A RECOVERY ZONE**

Adopt a resolution designating all areas encompassed within the geographic boundaries of Maricopa County as a recovery zone as defined in and within the meaning and for the purposes of the American Recovery and Reinvestment Act of 2009.

The American Recovery and Reinvestment act established two new types of bond programs to encourage economic development. The new types of bonds consist of "recovery zone economic development bonds" and "recovery zone facility bonds". The Industrial Development Authority (IDA) is an eligible issuer of "recovery zone facility bonds" and Maricopa County has received an allocation of \$5,496,000 for these bonds. In order for "recovery zone bonds" to be issued, Maricopa County must designate an area as an eligible "recovery zone" prior to the issuance of bonds. The bonds must be issued by January 1, 2011. (C-18-10-028-4-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **Clerk of the Board**

##### **A-7. APPOINTMENTS**

Approve the Official Appointment of Joe Munoz to the Deferred Compensation Committee representing District 5. (C-06-10-076-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **MEETING RECESSED**

Chairman Wilson recessed the Board of Supervisors to convene as the Board of Directors of various special districts.

#### **MEETING RECONVENED**

Chairman Wilson reconvened the Board of Supervisors.

#### **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

67. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)



Joel Nelson and Salvador Reza spoke, referencing the December 17, 2008, Board of Supervisors meeting where several people were arrested for disrupting a public meeting. All those arrested were acquitted and the judge reprimand MCSO officers for making arrests. Assertions were made that the Board has the power to control actions of Sheriff's deputies by controlling the budget of the Sheriff's Office and asking for such control to hold Sheriff Arpaio accountable.

Katie Perez, Maricopa County Association of Detention Officers, (MCADO) read a statement reporting a budget carry-over of \$196 million to the new fiscal year and yet the Board has cut department budgets to cover a reported shortfall resulting in a decrease of services to taxpayers.

Supervisor Wilcox asked David Smith to provide information about an upcoming special meeting.

David Smith said a public discussion of the County's year-end financial report would be held later, at 2:00 p.m., in the Board of Supervisors' Conference Room felt would be of interest to all citizens of the County.

Sean Pearce, Deputy Sheriff and Vice President of the Deputies Law Enforcement Association, said the concern was for public safety and fiscal responsibility. He also alleged a \$196 million surplus in the County, saying Sheriff's deputies and detention officers are willing to accept cuts and asked where the fiscal responsibility was for the Board. He read a statement made by David Smith in "County Conversations" that stated Maricopa County was doing its part to be fiscally responsible during the down-time. He mentioned the new Court Tower being built at a \$345 million cost and the Board's refusal to allow the use of needed buses that were purchased by the Sheriff's Office. He again asked about fiscal responsibility on the County's part.

Supervisor Stapley explained to speakers and residents that the Board, by statute, may not respond to anything said during public comment that is not in a publicly noticed agenda item, but this does not mean there is no response. He asked those interested in the question to attend this afternoon's public meeting where County finances and reserve funds would be discussed.

Guillermina Pichardo, spoke in Spanish. Ms. Pichardo was arrested last year for refusing to leave the 10th floor of the Administration Building where she hoped to meet with then Chairman Kunasek.

John Solano, MCADO, also referenced the \$196 million surplus, acknowledging the explanation he hoped would be given at this afternoon's public meeting.

Kristy Theilen said she was arrested on the 10th Floor Administration Building and again at the December 15, 2008, Board meeting. She reported that the trial had been held the two days previous to today's Board meeting, and discussion at the trial had discussed what constituted a public disruption of a meeting. She asserted it was really about time but about the abuse of power by the Sheriff's Department. She said the judge had said it was the responsibility of the Board of Supervisors to allow citizens to petition public officials. She told Members that they do have the authority to check the abuse of power in the Sheriff's Department.

Jason O'dner's trial was also yesterday where he said Sheriff's Deputies testified they could override any order of the Chairman of the Board of Supervisors and could make arrests as they saw fit. Mr. O'dner was aggrieved to note that his elected representative,

District Three Supervisor Kunasek, "seemed very willing and ready to concede that power to the Sheriff's Department." He alleged that two judges have stated that the power to decide who may or may not speak at their meetings resides with the Board of Supervisors and not to the Sheriff's Deputies.

Shana Higga, Irene Chavez, Raquel Teran, Liana Rowe, Carlos Galindo, Randy Parraz, Monica Sadnchafer and Wayne Johnson all testified to express similar experiences and expressions of distrust and disfavor with regards to the Sheriff's Office.

Supervisor Wilcox remarked for herself, and she hoped for the rest of the County, that she apologized for the arrests that took place and was glad to hear those were released and acquitted. She added that it was a sad day for Maricopa County when that happened.

Blue Crowley, resident, voiced concerns with the super grid of the transportation system that it is not fully covered, county-wide, but everyone in the County is paying the tax on it. He feels a cohesive plan is needed and it would be better addressed if the duties were assumed by Maricopa County.

Mr. Crowley also asked the Board to support Governor Jan Brewer as she endeavors to "fix" the State's financial crisis partially through an additional sales tax. He asked that actions of Sheriff Arpaio and Sheriff's deputies be brought under better control.

**68. Supervisors'/County Manager's summary of current events.**

Chairman Wilson said that because of events that have happened, "kind of an evolution of things that have been going on," he felt that we have better government and will continue to have better government. "Sometimes we may not be as good as we should be, sometimes we're not even as good as we can be." He added that he also believes in the Constitution and sometimes people need to be reminded of that document.

Supervisor Wilcox said that the County is working on a solution to remedy for Spanish translations.

Supervisor Wilcox commented that County government is concerned with many issues, not all of them as serious as this morning's or as the discussions scheduled for this afternoon's meeting. As a mark to Labor Day and the end of summer, she brought a video to show some summer recreation activities held for children, highlighting the 19th year of late-night basketball. This year Phoenix College joined the County in providing a summer camp for children 12 and under and 15 and under and coaches from the College are teaching the 300 kids shown in the video some of the skills of the game. Supervisor Wilcox explained that there had been three sessions with approximately 300 kids in each of them.

Luis Altamirano, MCADO, had inadvertently been omitted during the public comment portion of the meeting. Chairman Wilson called him forward to speak at this time.

Mr. Altamirano also addressed the negative impact the budget cuts have had on the ability of law enforcement to provide public safety and effectively perform required duties. He said it is also an officer safety issue for both deputies and detention officers because they are understaffed. He added there are ratios of 100 inmates to one officer and that is not good.

David Smith said this would be addressed at the afternoon meeting as officer safety is taken quite seriously by Administration. And protection of officers and full staffing of the

jails had been upmost in their budget discussions with the Sheriff's Office. Any deviations from that would result from decisions made in the Sheriff's Department.

Clerk of the Board, Fran McCarroll, commented on her employee, Josh Harts, who has served the Board and at these meetings for seven years. Josh is moving and his position will be replaced by Laverna Wilson. She said that Mr. Harts has been a very steady, secure and honorable young man whose services have been very appreciated. She said everyone is very sad to have Josh leave.

**\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews.\*\*\***

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.**

## **PLANNING AND ZONING ITEMS**

David Smith and Paul Golab left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, Outside Attorney, came forward to present the following Planning and Zoning cases.

## **CODE ENFORCEMENT REVIEW**

### **PZ-1. DECOSTER - V200900013**

~~This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200900013, DeCoster (Supervisor District 4). Item withdrawn settlement agreement reached. (C-44-10-012-M-00)~~

The Clerk announced this item was withdrawn because it has been settled.

## **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned at 10:22 a.m.

\_\_\_\_\_  
Max W. Wilson, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board

## **FLOOD CONTROL DISTRICT AGENDA**

The Board of Directors of the Flood Control District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 02, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman District 2; Fulton Brock, District 1; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-10-069-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

### **F-2. CONTRACT FOR BUCKEYE FLOOD RETARDING STRUCTURE NO 1 REHABILITATION PROJECT**

Award Contract FCD 2009C005 Buckeye Flood Retarding Structure (FRS) No.1 Rehabilitation to Tetra Tech, Inc., to provide professional engineering services. The contract will be effective for 1,278 calendar days from the date of execution or the expenditure of \$2,000,000.00, whichever comes first. The Flood Control District of Maricopa County (District) will mutually agree to a detailed scope of work for each work assignment. This is a qualifications-based selection in accordance with the Maricopa County Procurement Code, Article 5, Paragraph 504 and Article 5 Procurement Procedures Manual, Chapter II – Section 2. (C-69-10-012-5-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

### **F-3. EXCEPTION TO THE POLICY FOR ADMINISTERING GRANTS**

Approve an exception to the Policy for Administering Grants, Maricopa County Policy A2505 (Policy), Section D.1, for the Flood Control District of Maricopa County (District) for Fiscal Year 2010 that would allow the District to apply for unnamed flood control related grants and/or agreements that may or may not allow indirect cost recovery.

Approval of this item authorizes application only. The District will return to the Board of Directors for approval to accept any specific awards granted. Each subsequent request to accept an award will be presented as a new agenda item. The District's indirect cost rate for FY 2010 is 4.0%. (C-69-10-013-G-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board

## **LIBRARY DISTRICT AGENDA**

The Board of Directors of the Library District of Maricopa County, Phoenix, Arizona, convened in Formal Session at 9:00 AM on Wednesday, September 02, 2009, in the Board of Supervisors Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman District 2; Fulton Brock, District 1; Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **L-1. DONATIONS**

Accept the donations to the Southeast Regional Library from the Friends of SERL: Puppet stage and AV storage cabinets valued at \$3,800.00 and library material from Baker & Taylor valued at \$3,205.23; donations to the Northwest Regional Library from the Friends of the Surprise Libraries: 10 DEMCO Rol-lock book trucks valued at \$2,376.00 and 17 DEMCO Tackboards in various sizes valued at \$2, 284.92. Total value of material is \$11,666.15.

The Friends of the Libraries at the different branches support the libraries in their communities by selling used books and various other items and donating back to the libraries wherever they see a need. (C-65-10-002-D-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-2. BUDGET ADJUSTMENT FOR CARRY OVER**

Approve an increase to the FY 2008-09 Library District (650) Library District Fund (244) Non-Recurring/Non-Project (0001) expenditure budget in the amount of \$674,999. This amount is the carryover funding for one-time expenditures that were delayed from FY 2008-09. (C-65-10-003-2-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-3. AMEND FY 2009-10 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM**

Amend FY 2009-10 Five-Year Capital Improvement Program

Re-establish "Library District Technology Phase 2" (LDT2) project. This action requires an "Appropriated Expenditure" increase to the Library District (650) Library District Capital Improvement Fund (465) Library District technology Phase 2 (LDT2) project in the amount of \$500,000.

The purpose of the Library District Tech Phase 2 project is to expand capacity of the network and create total redundancy for the District network for our customers and the client libraries within Maricopa County for whom we provide library services.

The Library District Tech Phase 2 project will increase the capacity and the security of the network in order to meet the demands of the growth in library use and give the Library District complete redundancy at our backup site in case a catastrophic communication breakdown hits the District main network site. It will allow the District to keep its facilities,

web presence and libraries it runs systems for operating. The increase in capacity is also required to be able to continue to run the Library Information System for major client libraries. (C-65-10-004-M-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board